

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID L. HOLCOMB, SR.,
Plaintiff,
v.
PFIZER, INC.,
Defendant.

No. 1:20-cv-01008-KJM-KJN (PS)

ORDER

(ECF Nos. 58, 75.)

On January 16, 2024, the magistrate judge filed findings and recommendations (ECF No. 75), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 75) are ADOPTED IN FULL;

2. Defendant's motion to dismiss (ECF No. 58) is GRANTED;
3. Plaintiff's claims are DISMISSED WITH PREJUDICE; and
4. The Clerk of the Court is directed to CLOSE this case.

DATED: February 28, 2024.



CHIEF UNITED STATES DISTRICT JUDGE